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DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES

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TED SCHWINDEN, GOVERNOR

COGSWELL BUILDING

STATE OF MONTANA

HELENA, MONTANA 59620



STATE DOCUMENTS COLLECTION

APR 9 1984

April 5, 1984

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HELENA, MONTANA 59620

Re: Preliminary Environmental Review
Flying Dutchman (Van Uden)-
Philipsburg, MT

Board of County Commissioners, Granite Co. Courthouse, Philipsburg
Mike Kahoe, Administrative Assistant, P. O. Box B, Philipsburg
Jim Norman, County Sanitarian, 800 S. Main Street Anaconda
J. Allen Bradshaw, Co. Attorney, Granite Co. Courthouse, Philipsburg
Philipsburg Ranger Station, US. Forest Service, Philipsburg
Bill Bayor, Steve Magone, Dave Phillips, Dave Kesler, Lee Tracy
Tom Collins, Jim Bloom, Vic Johnson, Jerry Begg, Bob DeRosia, Philipsburg
Tom Ellerhoff, Environmental Sciences, Dept. of Health, Helena
Harold Chamber, State Library, Capitol Complex, Helena
Environmental Quality Council, Capitol Bldg., Helena

Ladies and Gentlemen:

Pursuant to the Administrative Rules of Montana, 16.2.604,
the following Preliminary Environmental Review has been prepared by the
Department of Health and Environmental Sciences concerning Herman Van Uden
dba/Flying Dutchman, Philipsburg, MT.

The purpose of the Preliminary Environmental Review is to inform
all interested governmental agencies, public groups or individuals of
the proposed action and to determine whether or not the action may have
a significant effect on the human environment. This Preliminary
Environmental Review will be circulated for a period of fifteen (15)
days at which time a decision will be made as to our future action.

If you care to comment on this proposed action, please do so within
the allotted time.

Sincerely,

LARRY D. MITCHELL
Solid Waste Management Bureau
Environmental Sciences Division

LDM:vc

WILLIAM J. BROWN

DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES
Cogswell Building, Helena, Montana 59601
(406) 444-2821

PRELIMINARY ENVIRONMENTAL REVIEW

Division/Bureau Environmental Sciences Division/Solid Waste Management Bureau

Project or Application Herman Van Uden dba/Flying Dutchman

Description of Project Establishing and licensing a new motor vehicle wrecking
facility on Black Pine Mine road near Philipsburg, Montana.

POTENTIAL IMPACT ON PHYSICAL ENVIRONMENT

	Major	Moderate	Minor	None	Unknown	Comments on Attached Pages
1. Terrestrial & aquatic life and habitats				X		
2. Water quality, quantity and distribution				X		
3. Geology & soil quality, stability and moisture			X			
4. Vegetation cover, quantity and quality				X		
5. Aesthetics		X				
6. Air quality				X		
7. Unique, endangered, fragile, or limited environmental resources				X		
8. Demands on environmental resources of land, water, air & energy				X		
9. Historical and archaeological sites					X	

POTENTIAL IMPACTS ON HUMAN ENVIRONMENT

	Major	Moderate	Minor	None	Unknown	Comments on Attached Pages
1. Social structures and mores				X		
2. Cultural uniqueness and diversity				X		
3. Local and state tax base & tax revenue				X		
4. Agricultural or industrial production				X		
5. Human health				X		
6. Quantity and distribution of community and personal income			X			X
7. Access to and quality of recreational and wilderness activities			X			X
8. Quantity and distribution of employment			X			X
9. Distribution and density of population and housing				X		
10. Demands for government services	X					X
11. Industrial & commercial activity				X		
12. Demands for energy				X		
13. Locally adopted environmental plans & goals				X		X
14. Transportation networks & traffic flows				X		

Other groups or agencies contacted or which may have overlapping jurisdiction _____

Individuals or groups contributing to this PER. Granite County Commissioners' Office

Recommendation concerning preparation of EIS Not Necessary

PER Prepared by: Larry D. Mitchell

Date: 4-2-84

LARRY D. MITCHELL

POTENTIAL IMPACT ON PHYSICAL ENVIRONMENT

3. Geology and soil quality, stability and moisture

A localized minimal impact on soil stability will be created by the applicant's proposal to shield the wrecking yard with earth berms. Essentially $\frac{1}{2}$ acre of his property will be leveled and the soil pushed into dirt banks intended to shield junk vehicles from view.

5. Aesthetics

Montana law requires all motor vehicle wrecking facilities to be shielded from public view such that junk vehicles held in storage are not visible from a point 6 feet above the centerline of any public roadway. The applicant has proposed the establishment of a motor vehicle wrecking facility on a portion of a 20 acre parcel of land he owns near the Black Pine Road northwest of Philipsburg. The facility is required to be shielded from this public road. Artificial shielding will be required.

The site selected for junk vehicle storage is on the east edge of the applicant's 20 acre parcel. It will be approximately 80' X 120' in size and have a storage capacity for approximately 30 vehicles.

A dirt berm or fence of sufficient height and density will be required to screen the site from the road above or north of the site and below or east and south of the site. Natural topography north of the site shields it from the road to a great extent but some additional screening will be necessary.

The south and east sides of the yard will require substantial shielding as it is nearly adjacent to the roadway. As long as the facility is shielded in accordance with the standards and materials described in ARM 14.16.202 the facility will be eligible for licensing. No license can be issued until the facility is properly shielded and the junk vehicles removed from public view.

POTENTIAL IMPACTS ON HUMAN ENVIRONMENT

6 & 8. Quantity and distribution of community and personal income
Quantity and distribution of employment

The establishment and licensing of this motor vehicle wrecking facility operation may have a minor positive impact on the applicant's personal income. It may provide at least part time employment and subsidiary income opportunities for the applicant.

7. Access to and quality of recreational and wilderness activities.

The Black Pine Road is a major access route for local forest recreational activities.

There may be a perceived negative impact on some road users by having to drive past a commercial motor vehicle wrecking facility operation on the

way to forest lands. Present area land use is agricultural grazing and rural housing. Lumbering and mining activities occur beyond the proposed site.

10. Demands for government services

Periodic routine inspections of the facility by state and local junk vehicle program officials may be required to assure that it is being operated and maintained in compliance with the state Motor Vehicle Recycling and Disposal law and regulations. A minor effort will be required to establish office records on the facility and in routine correspondence with the business.

It is expected that due to the location of this facility and the historical activities of the applicant, monthly field inspections may be necessary for this facility. In addition to dealing in junked vehicles for repair or salvage, the applicant has traditionally accumulated and dealt in other scrap items and discards such as building materials, ferrous and non-ferrous metals, used appliances and other materials.

The Motor Vehicle Recycling and Disposal law is specific in its regulation. Junk vehicles defined as discarded, ruined, wrecked or dismantled motor vehicles, which are not licensed and also not operable are required to be shielded from public view.

Complaints regarding the unsightly appearance of the property due to accumulations of other types of discards and debris have been received and are expected to continue. Other statutes or county ordinances may address this problem if it becomes a public or private nuisance or health hazard. In this case a considerable demand may be placed on government services in the form of investigative and/or legal action. This problem is partly speculative and totally independent of the present action of establishing and licensing a motor vehicle wrecking facility at this location.

13. Locally adopted environmental plans and goals

Establishing and licensing a motor vehicle wrecking facility at this site does not violate any locally adopted land use zoning ordinances currently in effect for this location. The county commissioners' office has certified on the license application that the site is unzoned.

In the absence of local government zoning regulations, only state siting laws or private deed restrictions or covenants may control land use. The Motor Vehicle Recycling and Disposal law does not regulate facility siting beyond requiring facilities to be shielded and located in compliance with local zoning ordinances. The department is unaware of any private covenants or deed restrictions which would prohibit the establishment of the facility. If there are any, they are considered to be privately enforceable between property owners who are signatory to the agreements.

MONTANA DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES
Environmental Sciences Division
Solid Waste Management Bureau
Helena, Montana 59601

M O T O R V E H I C L E W R E C K I N G F A C I L I T Y

APPLICATION FOR LICENSE

Complete this form and return with attachments to: Solid Waste Management Bureau
Montana Department of Health and
Environmental Sciences
Room A201, Cogswell Building
Helena, MT 59620

1) Name of applicant: Herman Van Audeu

2) Name of facility: Flying Dutchman

3) Address: Box 368, Philipsburg 59858

4) Size and legal description of facility: 20.26 A.

Tract 170-11 in D.W. 1/4
sec 9-7-14

5) If you are not the owner of the premises, give name and address of lessor who holds title to the property:

Name: _____

Address: _____

6) Attachments: a) Map of city or county showing proposed location of facility.

b) Drawing of proposed facility showing especially the type and adequacy of shielding of facility from public view and location of buildings.

7) I hereby certify that the site of the planned motor vehicle wrecking facility is in accordance with local government zoning and ordinances (to be signed by appropriate local government official having knowledge of local zoning ordinances).

TITLE: Mike Kahoe Mike Kahoe, Administrative Assistant

OF: Board of County Commissioners of Granite County
(city or county)

8) Date (year and month) that your facility will begin operation: _____

SIGNATURE OF APPLICANT: Herman Van Audeu PHONE: 859-3427

TITLE: Owner DATE: 1-30-84









